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SUMMIT ENTERTAINMENT, LLC
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10
11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 SUMMIT ENTERTAINMENT, LLC,
a Delaware limited liability company,

15 Plaintiff,

16 v.

17 B.B. DAKOTA, INC., et al.

18 Defendants.
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21
22 AND RELATED COUNTERCLAIMS
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Case No. CV-10-4328-GAF (RZx)

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S *EX PARTE*
APPLICATION FOR LIMITED
REVIEW OF NONDISPOSITIVE
RULING OF MAGISTRATE JUDGE
DATED OCTOBER 4, 2011**

Date: TBD
Time: TBD
Ctm: Roybal 740
Judge: Hon. Gary Feess

Complaint Filed: June 11, 2010
Motion Cutoff: October 25, 2011
Pretrial Conf. Date: November 14, 2011
Trial Date: December 13, 2011

After consideration of Plaintiff Summit Entertainment, LLC's *Ex Parte* Application for an order granting limited review of the October 4, 2011 Order of Magistrate Judge Ralph Zarefsky Granting In Part and Denying in Part Plaintiff's Motion to Compel ("Summit's Application") and all papers submitted in support of and in opposition to Summit's Application, and

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT

The portion of Magistrate Judge Zarefsky's October 4, 2011 Order regarding documents withheld by defendant B.B. Dakota, Inc. (Order at 1:22-26) is hereby reversed and stricken;

[AND]

B.B. Dakota is ordered to immediately produce the documents on its privilege log for which no attorney is listed as a sender or recipient.

[OR]

Defendant B.B. Dakota, Inc. is hereby ORDERED to produce for an *in camera* review the following documents:

| Bates | Date | Descript. | Author | Recipient | Basis |
|---------------------|----------------|-----------|----------------|---|-------|
| BBD0537 | 1/07/2011 | E-Mail | Gloria Brandes | Carol Christopherson [cc: Jill Stein, Staci Hoffman] | ACP |
| BBD0620- BBD0621 | REDACTED | E-Mail | REDACTED | REDACTED | ACP |
| BBD0625 | REDACTED | E-Mail | REDACTED | REDACTED | ACP |
| BBD1079- | 7/27/201 [sic] | E-Mail | Jill Stein | Philip Brandes | ACP |

| Bates | Date | Descript. | Author | Recipient | Basis |
|------------|-----------|-----------|----------------|----------------|-------|
| 83 | | | | | |
| BBD1084-87 | 7/27/2011 | E-Mail | Jill Stein | Philip Brandes | ACP |
| BBD1088 | 7/26/2011 | E-Mail | Jill Stein | Philip Brandes | ACP |
| BBD1089-90 | 7/26/2011 | E-Mail | Jill Stein | Philip Brandes | ACP |
| BBD1091 | 7/26/2011 | E-Mail | Jill Stein | Philip Brandes | ACP |
| BBD1092 | 7/26/2011 | E-Mail | Jill Stein | Philip Brandes | ACP |
| BBD1093 | 7/26/2011 | E-Mail | Philip Brandes | Jill Stein | ACP |
| BBD1094-96 | 7/27/2011 | E-Mail | Philip Brandes | Jill Stein | ACP |
| BBD1097-98 | 7/27/2011 | E-Mail | Philip Brandes | Jill Stein | ACP |

IT IS SO ORDERED.

Dated: _____

Hon. Gary Feess
UNITED STATES DISTRICT COURT JUDGE

Respectfully submitted,

MANATT, PHELPS & PHILLIPS, LLP

By: /S/Diana I. Iorlano
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